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Case No. 2:17-cv-01988-KJD-CWH

## ORDER

ROBERT CESSAR, et al.,

Respondents.

Further, this court takes judicial notice of its docket, and this court previously dismissed two cases filed by Banks: 2:16-cv-1153-JAD-VCF and 2:16-cv-1155-RFB-VCF. The court consolidated those cases and stated that Banks had been declared a

1 vexatious litigant by the Western District of Pennsylvania, did not seek prior  
2 authorization to file a complaint in the District of Nevada, and apparently attempted to  
3 circumvent the Pennsylvania order by filing cases here.

4 **IT IS THEREFORE ORDERED** that this action is **DISMISSED** as improperly  
5 commenced and frivolous.

6 **IT IS FURTHER ORDERED** that petitioner's application to proceed *in forma*  
7 *pauperis* (ECF No. 1) is **DENIED**.

8 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

9 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and  
10 close this case.

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12 DATED: 16 November 2017.

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KENT J. DAWSON  
16 UNITED STATES DISTRICT JUDGE  
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